

AMENDMENTS TO THE CLAIMS

Please cancel claims 1, 11, 12, and 14 without acquiescence to the basis of the rejections set forth in the Office Action, and/or without prejudice to pursue the original claims in related application(s), and insert new claims 15-34, as follow. A complete listing of the claims is provided below.

1-14. (Canceled)

15. (New) An apparatus for performing a surgical procedure, comprising:

an elongated instrument having a distal tip configured to dissect tissue, wherein the distal tip is transparent;

an outer sheath disposed about at least a portion of the elongated instrument, the outer sheath having a distal portion that is expandable in an outward direction in response to a relative movement between the elongated instrument and the outer sheath.

16. (New) The apparatus of claim 15, wherein the distal portion of the outer sheath includes a first free end and a second free end.

17. (New) The apparatus of claim 16, wherein the first free end and the second free end are configured to move away from each other in response to the relative movement between the elongated instrument and the outer sheath.

18. (New) The apparatus of claim 16, wherein the first free end is a part of a half cylindrical segment, and the second free end is a part of another half cylindrical segment.

19. (New) The apparatus of claim 16, wherein the distal portion of the outer sheath is expandable in response to placement of the distal tip of the elongated instrument between the first free end and the second free end.

20. (New) The apparatus of claim 16, further comprising a resilient connector for urging the first free end and the second free end towards each other.

21. (New) The apparatus of claim 15, wherein the distal tip is placeable distal to the distal portion of the outer sheath, and the distal tip has an outer dimension that is larger than an outer dimension of the outer sheath when the distal tip is distal to the distal portion of the outer sheath.

22. (New) The apparatus of claim 15, wherein the distal portion of the outer sheath is configured to push the dissected tissue away from a longitudinal axis of the elongated instrument.

23. (New) The apparatus of claim 15, wherein the elongated instrument comprises an endoscopic lumen for housing an endoscope.

24. (New) The apparatus of claim 15, further comprising a handle eccentrically attached near a proximal end of the outer sheath.
25. (New) The apparatus of claim 15, wherein the tissue is next to a vessel, and the outer sheath is configured to push the dissected tissue away from a longitudinal axis of the elongated instrument to create a tunnel next to the vessel.
26. (New) The apparatus of claim 15, wherein the elongated instrument comprises an expansion device located proximal to the distal end.
27. (New) An apparatus for performing a surgical procedure, comprising:
an elongated instrument having an expansion device;
an outer sheath disposed about at least a portion of the elongated instrument, the outer sheath having a distal tip for dissecting tissue, wherein the outer sheath is expandable in an outward direction in response to a relative movement between the elongated instrument and the outer sheath.
28. (New) The apparatus of claim 27, wherein the distal tip has a tapered configuration and is transparent.
29. (New) The apparatus of claim 27, wherein the distal tip is fixedly secured to a distal end of the outer sheath.

30. (New) The apparatus of claim 27, wherein the outer sheath is configured to push the dissected tissue away from a longitudinal axis of the elongated instrument.
31. (New) The apparatus of claim 27, wherein the expansion device is housed within a lumen of the outer sheath, and is prevented from moving distal to the distal tip of the outer sheath.
32. (New) The apparatus of claim 27, further comprising a handle eccentrically attached near a proximal end of the outer sheath.
33. (New) The apparatus of claim 32, wherein the handle is detachably attached to the proximal end of the outer sheath.
34. (New) The apparatus of claim 27, wherein the tissue is next to a vessel, and the outer sheath is configured to push the dissected tissue away from a longitudinal axis of the elongated instrument to create a tunnel next to the vessel.
35. (New) The apparatus of claim 27, wherein the elongated instrument comprises an endoscopic lumen for housing an endoscope.